

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FRANK T. BRZOZOWSKI	:	CIVIL ACTION
	:	
v.	:	NO. 5: 15-2339
	:	
PENNSYLVANIA TURNPIKE	:	
COMMISSION	:	

ORDER


AND NOW, this 20th day of March 2019, upon considering the Turnpike Commission Defendants' Motion to dismiss (ECF Doc. No. 72) the Second Amended Complaint (ECF Doc. No. 68), Plaintiff's Response (ECF Doc. No. 76), and for reasons in the accompanying Memorandum, it is **ORDERED** the Turnpike Commission Defendants' Motion to dismiss (ECF Doc. No. 72) is **GRANTED in part** and **DENIED in part**:

1. We **deny** the Turnpike Commission Defendants' Motion only as to Plaintiff's claims relating to his attempts to obtain a position as an IT Executive Assistant for: (1) sex discrimination against the Turnpike Commission and (2) age discrimination against the Turnpike Commission. Plaintiff may proceed on these two claims alone;

2. We **grant** the Turnpike Commission Defendants' Motion as to all other claims and dismiss Mses. Schlegel and Ross with prejudice;

3. The Clerk of Court and parties shall use the caption above accurately reflecting the remaining Defendant Turnpike Commission; and,

4. The Turnpike Commission shall answer the sex and age discrimination claims against it relating to the IT Executive Assistant position no later than **April 3, 2019**.



KEARNEY, J.